

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
September 21, 2011**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charlie Brummer, Vice-Chair, Larry Whalen, Suellen Soucek, Greg Thury Ron Madich, Carey Baxter (6).

Town Plan Commission Members Absent: Greg Thury (1).

Public Present: Paul Brummer, Sally Hoffman, Dick Hoffman, Pete Rogers, Jim Rogers, Mike Starck, Burke Henry (6).

Town Staff Members Present: Margaretta Kusch, ZCA (1).

I. Call to Order/Roll Call

Chair Pallas called the meeting to order at 4:30 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Special Monthly Meeting, August 3, 2011

- In item V.b, first sentence, change *"him"* to *"his."*
- In item V.b, both of Chair Pallas' motions, insert *"to"* after *"Chair Pallas moves."*

Chair Pallas moves to approve the Town Plan Commission Special Monthly Meeting minutes of August 3, 2011, as amended. S. Soucek seconds. All in favor, 5 aye, 1 abstain (C. Baxter). Motion Carries.

b. Town Plan Commission Special Monthly Meeting, September 7, 2011

Chair Pallas moves to approve the Town Plan Commission Special Monthly Meeting minutes of September 7, 2011, as submitted. S. Soucek seconds. All in favor, 3 aye, 3 abstain (R. Madich, C. Brummer, C. Baxter). Motion Carries.

IV. Zoning Administrator's Report

V. Consideration and/or Action of Permit Applications

a. Erickson, Evan re: Travel Trailer at 304 Big Bay Road LP# 014-00198-0200

C. Brummer states that John Spangberg has visited the site and marked the wetland areas, but that the issue will have to be postponed as no sanitary permits have been received.

C. Brummer moves to postpone the Evan Erickson travel trailer at 304 Big Bay Road until the next meeting. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

b. Hartzell, Robert: add/alter at 641 Main St, (The Pub), LP #014-00446-0200.

There have been no sanitary permits received for this site either. Chair Pallas states that Mr. Hartzell and Mr. Erickson were going to try to coordinate times with each other so that a plumber can come to the island and work on both sites in one day.

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VI. New Business

VII. Old Business

a. Zoning Ordinance Revision Project

- **Review of 2nd Draft Text and Map per comments received at July 13 and July 20 Public Hearings and attorney Fauerbach's opinion, dated September 12, 2011.**
 - In 2.23, change *"underground/ surface/ overhead: gas"* to *"underground, surface, overhead gas."*
 - In 2.74, change beginning of first sentence to *"a room rented to no more than two (2) adult tourists and related children, without meals or cooking facilities..."*
 - In section 2, add definition for "Unit" to read *"A single residence, as an apartment, that is part of a complex (a rental unit)."*
 - In 3.16, change "Game Preserve" from a permitted to a conditional use.
- **Recommend final draft to Town Board**

This will be done once attorney Fauerbach looks at the newly added "Unit" definition.

C. Brummer moves to bring item 7.c up on the agenda. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

b. Review of Comprehensive Plan

This will be done at the next meeting.

c. **Paul Brummer Complaint filed May 31, 2011 regarding the use of property at 978 Middle Road, LP #014-00178-0200. Postpone discussion until October 5, 2011 Special Monthly Meeting.**

Chair Pallas states that attorney Fauerbach has reported that negotiations have broken down between Craftivity's attorneys and himself.

Chair Pallas feels that this complaint and the more recent one filed by Paul Brummer against Craftivity, Inc., are closely related and can be discussed in relation to each other. Mr. Fauerbach feels that both complaints should be dealt with under the old (current, not proposed) ordinance. Chair Pallas feels that both should be dealt with when the Zoning Administrator returns from leave. Other Town Plan Commission members agree.

Chair Pallas moves to defer action on both Brummer complaints until the Zoning Administrator returns from maternity leave. S. Soucek seconds.

C. Brummer states that the complaints shouldn't be in limbo for two to three months.

Chair Pallas amends his motion to say "30 Day maternity leave." S. Soucek seconds amended motion. All in favor, 6 aye. Motion Carries.

d. **Anderson, Michael complaint re: employee housing at LP #014-00192-0110.**

Chair Pallas states that there are two aspects to this complaint. One is the terms of the original land use permit and the other is the question of rental permits. When the land use permit was issued, various

conditions were placed on the permit, even though it was not a Conditional Use Permit. The Town Board attached those conditions as a result of negotiations between Mr. Hartzell and Mr. Anderson. Those conditions (e.g. plant a tree barrier between the properties) are governed by the Town Board, not the Town Plan Commission.

The aspect of the complaint that pertains to zoning is whether or not the property needs rental permits for the dwellings. There are no current permits for the two houses, but as they were built circa 1992 it needs to be determined whether or not such permits were required at that time.

L. Whalen moves to send the “agreement” part [*conditions placed on permit*] of the complaint to the Town Board and get information on the 1992 definition of “Single Family Dwelling” and “Family” and postpone the decision on the Rental of Single Family Dwelling until the next meeting. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

C. Brummer moves to return to item 7.b. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

VIII. Future Agenda Items

- Mike Anderson complaint.
- Review Comprehensive Plan.
- Evan Erickson trailer.
- Robert Hartzell addition/alteration.
- Zoning Ordinance Revision Project.

IX. Schedule Future Meeting

- Next Special Monthly Meeting to be held Wednesday, October 5th, 2011, at 4:30 pm.

X. Adjournment

Chair Pallas moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:35 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Tuesday, September 27, 2011.

Town Plan Commission minutes approved as amended by Margaretta Kusch, ZCA on Wednesday, October 05, 2011.